

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE:	:	CHAPTER 7
	:	
BARRY PORTNOY,	:	BANKR. NO. 14-16081MDC
	:	
Debtor.	:	
ANDREW R. VARA,	:	
UNITED STATES TRUSTEE	:	ADV. NO. 15-448MDC
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
BARRY PORTNOY,	:	
	:	
Defendant.	:	

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**STIPULATION AND CONSENT ORDER  
DISMISSING ADVERSARY COMPLAINT AND  
PROHIBITING DEFENDANT FROM FILING BANKRUPTCY CASE**

This Stipulation and Consent Order is made and entered into by and between Andrew R. Vara, United States Trustee (hereinafter “United States Trustee” or “Plaintiff”) and Barry Portnoy (hereinafter “Barry Portnoy” or “Defendant”) in settlement of the above captioned adversary proceeding and any claims that were or could have been raised therein.

WHEREAS, on July 30, 2014 (the “Petition Date”), Barry Portnoy filed a voluntary petition for relief under Chapter 7 of the United States Bankruptcy Code in the United States Bankruptcy Court for the Eastern District of Pennsylvania, thereby initiating Bankruptcy Case Number 14-16081MDC.

WHEREAS, on or about October 19, 2015, Plaintiff filed a Complaint objecting to the granting of a discharge to the Defendant under Section 727 of the Bankruptcy Code (the

“Complaint”), docketed as Adv. Pro. No. 15-448.

WHEREAS, on January 13, 2016, the Defendant filed an answer to the Complaint opposing the relief requested by the United States Trustee therein.

WHEREAS, the parties to this adversary proceeding desire to settle this matter prior to the trial thereon and have reached a settlement as more fully set forth below.

WHEREAS the Defendant is and has been represented by counsel in his bankruptcy case and this adversary proceeding and was advised by counsel regarding the terms and conditions of this Stipulation and Agreement.

NOW THEREFORE, having exchanged good and valuable consideration, receipt of which is hereby acknowledged by each of the parties hereto, and intending to be legally bound hereby, the parties stipulate and agree as follows:

1. The United States Trustee agrees to the dismissal of this Complaint (Adv. Pro. No. 15-448) with prejudice, and with the parties bearing their own costs.
2. The United States Trustee and Barry Portnoy agree that the bankruptcy case can be closed after the Chapter 7 Trustee makes distributions and completes the administration of the

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case. The Order closing the case will include a provision prohibiting Barry Portnoy from filing a bankruptcy case prior to July 30, 2022.


WHEREFORE, by their signatures below, the parties hereby agree.

BY: /s/ Kevin P. Callahan  
KEVIN P. CALLAHAN, ESQ.  
Attorney for Plaintiff

BY: /s/ David L. Braverman  
DAVID L. BRAVERMAN, ESQ.  
Attorney for Defendant

**APPROVED BY THIS COURT**

**ON THIS 5th DAY OF April, 2021.**

  
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MAGDELINE D. COLEMAN  
Chief U.S. Bankruptcy Judge